

Notice of Allowability

Application No.

09/923,053

Examiner

Ronald D Hartman Jr.

Applicant(s)

CRAWFORD ET AL.

Art Unit

2121

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to the amendment filed on 8/23/2004.
2. ☒ The allowed claim(s) is/are 1, 4, 6-7, 9, 11-13, 15-17 and 19-22 (renumbered as 1-15).
3. ☒ The drawings filed on 20 September 2001 are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).
 - * Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413), Paper No./Mail Date _____
7. ☐ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____

DETAILED ACTION

1. Claims 1, 4, 6-7, 9, 11-13, 15-17 and 19-22 are presented for examination.

Allowable Subject Matter

2. Claims 1, 4, 6-7, 9, 11, 13, 15-17, 19 and 21-22 are allowed.

As per claims 1, 4, 6-7, 9, 11, 13, 15-17, 19 and 21-22, specifically independent claims 1 and 13, the prior art of record fails to teach a controller or method for a controller wherein a memory is accessed by the controller in order to determine if a received control command, issued from a master controller, is in a communication language (i.e. format or protocol) that may be handled by the controller. In the event that the memory contains information about the received language, the control command is understood and interpreted, however, in the event that the language, or information associated thereof, is not in the memory, characteristics about the received control command are used to determine the actual communication language used in the control command, in combination with the other claimed features and or limitations as claimed by the claimed invention.

3. Claims 12 and 20 are allowed.

As per claims 12 and 20, the prior art of record fails to teach a controller or method for a controller wherein a command is received by the controller and a processor utilizes either a memory or characteristics of the command, stored in advance in the memory, in order to determine the language of the command. In the event that the command language is determined, a control program for controlling the actuator is retrieved from the memory and if the command language is not determined, a default position command is generated for controlling the actuator, in combination with the other claimed features and or limitations as claimed by the claimed invention.

4. The closest available art appears to be issued to Pruzan et al., U.S. Patent No. 6,728,603, published on April 27, 2004.

Pruzan et al teaches a protocol converter to be used in conjunction with several controllers that are located within the confines of an automobile (i.e. Figure 1).

However, Pruzan et al does not specifically teach the protocol converter being utilized within a particular controller, and instead, teaches away from this since Pruzan teaches that the protocol converter is to be connected to a bus so that communications between controls may be converted into appropriated protocols.

Also Pruzan et al is silent with respect to utilizing a memory for making the determination as to what communication is being used. Instead Pruzan utilizes several protocol transceivers which filter out specific messages based on their format and send the filtered messages to the appropriate transceiver for further processing by the protocol converter. Pruzan only uses his disclosed memory, within the converter, for storing messages accepted into the protocol converter and or information about the make and model of an automobile. Pruzan does not teach, as is claimed by the instant invention, a memory for storing language identifiers that are used to determine the language being transmitted on the communication bus, in combination with the other claimed features and or limitations as claimed by the claimed invention.

Therefore, since the aforementioned features are not contemplated by or rendered obvious by the teachings of Pruzan, and since Pruzan et al represents the closest available prior art, the claims, specifically claims 1, 12-13 and 20 are believed to be allowable over the prior art of record and claims 4, 6-7, 9, 11, 15-17, 19 and 21-22 are allowable as being dependent from allowed base claims (claims 1, 12-13 and 20).

Conclusion

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ronald D Hartman Jr. whose telephone number is (571) 272 - 3684. The examiner can normally be reached on Mon. - Fri., 11:30 am - 8:00 pm EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Anthony Knight can be reached at (571) 272 - 3687. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Ronald D Hartman Jr.

Examiner

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A handwritten signature in black ink, appearing to read 'Anthony Knight', is written over the printed name.

Anthony Knight
Supervisory Patent Examiner
Group 3600